## AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO COMMITTEE PRINT FOR SUBTITLE E RELATING TO DRUG PRICING

## Offered by M .

In section 1834(z)(2)(A) proposed to be added to the Social Security Act by section 30511(a), insert "subject to subparagraph (C)," after "In this subsection,".

Add at the end of section 1834(z)(2) proposed to be added to the Social Security Act by section 30511(a) the following new subparagraph:

1 (C) EXCEPTION.—The term "part D
2 rebatable drug" shall not include a drug des3 ignated by the Secretary under section 526 of
4 the Federal Food, Drug, and Cosmetic Act (21
5 U.S.C. 360bb) for a rare disease or condition.

In section 1860D–14B(g)(1)(A) proposed to be added to the Social Security Act by section 30512(a), strike "The term 'part D rebatable drug'" and insert "For purposes of this part, subject to subparagraph (C), the term 'part D rebatable drug'".

Add at the end of section 1860D–14B(g)(1) proposed to be added to the Social Security Act by section 30512(a) the following new subparagraph:

1 (C) EXCEPTION.—The term "part D
2 rebatable drug" shall not include a drug des3 ignated by the Secretary under section 526 of
4 the Federal Food, Drug, and Cosmetic Act (21
5 U.S.C. 360bb) for a rare disease or condition.

